

### **Remarks**

Claims 1-14 are pending in this application. Claims 2 and 8 have been amended. Claims 1, 3-4, 6, and 10-12 have been canceled.

Reconsideration of the claims is respectfully requested.

#### **I. 35 U.S.C. § 102, Anticipation**

Claims 2, 5, 7-9, and 13-14 are rejected under 35 U.S.C. 102 (b) as being anticipated by Achterholt (U.S. Patent No. 5,040,561). This rejection is respectfully traversed.

In rejecting the claims, the Office Action states:

With respect to claims 1, 2, 8 and 12, Achterholt teaches a transmitter comprising a pressure sensor that has a diaphragm (40) exposed to gas, wherein the transmitter transmits pressure data detected by the pressure sensor, the transmitter comprising a power supply circuit (26) for supplying electricity to the transmitter (Col. 3, lines 5-8), a metallic material (41) covering the diaphragm (40) (Col. 5, lines 1-5) and a connecting member (27/28) with the metallic material (41) (Fig. 1)

With respect to claims 5 and 8, Achterholt teaches the transmitter is provided in a tire of a vehicle, and wirelessly transmits pressure data representing a condition of the tire (Col. 4, lines 64-66).

With respect to claims 7 and 8, Achterholt teaches a receiver (Col. 3, lines 39-41), wherein the receiver receives data transmitted by the transmitter with a reception antenna (25) and processes the received data.

Claims 2 and 8, as amended, recite:

2. A transmitter comprising a pressure sensor that has a diaphragm exposed to gas, wherein the transmitter transmits pressure data detected by the pressure sensor, the transmitter comprising:
  - a power supply circuit for supplying electricity to the transmitter;
  - metallic material covering the diaphragm; and
  - a connecting member, wherein the connecting member connects the power supply circuit with the metallic material such that the potential of the metallic material is the same as the potential of the power supply circuit, wherein the diaphragm is formed on a ceramic base, and wherein the connecting member is metal plating on an inner surface of a through hole formed in the base.

8. A tire condition monitoring apparatus comprising a pressure sensor that measures air pressure in a tire of a vehicle, a transmitter that transmits pressure data measured by the pressure sensor, and a receiver that receives and processes data transmitted by the transmitter,

wherein the pressure sensor includes:

a diaphragm exposed to air in the tire; and  
metallic material covering the diaphragm,

wherein the transmitter includes:

a power supply circuit that supplies electricity for activating the transmitter; and  
a connecting member, wherein the connecting member connects the power supply circuit with the metallic material such that the potential of the metallic material is the same as the potential of the power supply circuit, wherein the diaphragm is formed on a ceramic base, and wherein the connecting member is metal plating on an inner surface of a through hole formed in the base.

Achterholt does not teach or suggest the features in claims 2 and 8 of forming the diaphragm on a ceramic base and the connecting member being a metal plating on an inner surface of a through hole formed in the base.

Since claims 5 and 7 depend from claim 2, and claims 9 and 13-14 depend from claim 8, they are distinguished from Achterholt for the same reasons as claims 2 and 8.

Therefore, it is respectfully asserted that the rejection of claims 2, 5, 7-9, and 13-14 under 35 USC § 102 has been overcome and should be withdrawn.

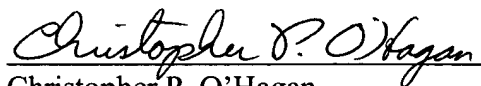
## II. Conclusion

It is respectfully urged that the claimed invention has been properly distinguished from the prior art references and is now in condition for allowance.

Any questions regarding this matter or any issue related to this application can be directed to Christopher P. O'Hagan at (972) 367-2001.

Date: May 3, 2005

Respectfully submitted,



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